

Congress of the United States
Washington, DC 20515

September 2, 2011

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army (Civil Works)
U. S. Army Corps of Engineers
108 Army Pentagon
Room 3E446
Washington, DC 20310-0108

Dear Assistant Secretary Darcy,

As Members representing constituents living in floodplains, many of our offices were recently visited by local stakeholders from California, Louisiana, Texas, Illinois, Missouri, and Iowa regarding concerns over US Army Corps of Engineers ("Corps") crediting policies. In particular, a recent decision to discontinue crediting under Section 104 of the 1986 WRDA Act is having a ripple effect across the country, making it more difficult for local stakeholders to invest in federal flood damage reduction projects. In some cases, the effect of this decision has already been to delay, and may eventually be to halt, local flood damage reduction project construction.

We understand that you recently met with these stakeholders on this issue. Specifically, we appreciate your commitment to work with these communities regarding this decision before the updated guidance becomes effective this October. During this time of constrained federal funding, we believe it is imperative that local investment in flood damage reduction be encouraged rather than hindered. These local investments will enhance public safety, reduce federal recovery costs, and create jobs.

During your continued dialogue with local stakeholders, we urge you to develop revised crediting guidance that takes into account potential unintended consequences such as jeopardizing local funding sources and delaying project development and construction schedules. While your office should exercise discretion when determining when and whether credit should be granted, a blanket prohibition against credit will exclude a number of projects which are worthy of credit and which will result in many communities not constructing levee improvements.

We respect your responsibility to protect the federal interest and appropriately manage limited federal resources. However, we believe it is essential to sustain the strong partnerships that have historically existed across the country between local communities and the Corps district offices. Public safety is a top priority and we ask that you keep us apprised of your efforts to revise crediting guidance. Should you or your staff have any questions or require additional information regarding this request, please do not hesitate to contact us. We thank you in advance for your time and consideration of this important matter.

Sincerely,


DORIS O. MATSUI
Member of Congress


MIKE THOMPSON
Member of Congress



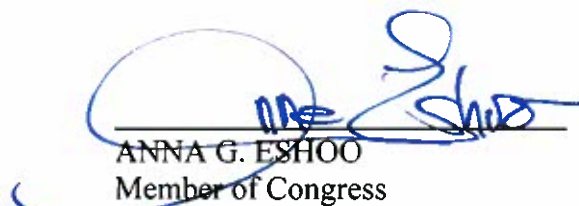
JERRY MCNERNEY
Member of Congress



DANIEL E. LUNGREN
Member of Congress



DENNIS A. CARDOZA
Member of Congress



ANNA G. ESHOO
Member of Congress



WALLY HERGER
Member of Congress




JOHN GARAMENDI
Member of Congress



BOB FILNER
Member of Congress



LUCIELLE ROYBAL-ALLARD
Member of Congress



JIM COSTA
Member of Congress



ZOE LOFGREN
Member of Congress

A handwritten signature in blue ink, reading "Lois Capps". The signature is fluid and cursive, with a horizontal line drawn underneath it.

LOIS CAPPS
Member of Congress